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1941. File No. B.R.T. II/41

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Legal DEPARTMENT
B BRANCH

Subject:

Rules and Notifications under the Bombay Revenue Tribunal Act, 1939

F.H

File No. B.R.T II/41

Std. Septt. Slip 24 L. e.

430-B.

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Office of the R.L.A.

A revised draft notification is sent herewith.

Sd/-

17/7.

Remembrancer of Legal Affairs.

U.R. to R.D., in Poona, No. 118-P-Confl., dated the 17th July 1941.

PSM. 21/4.

NOTIFICATION.

Revenue Department,

Bombay Castle, July, 1941.

Bombay Revenue Tribunal Act, 1939 (Bom. XII of 1939).

No. 4877/33.— In exercise of the powers conferred by sub-section (1) of section 3 of the Bombay Revenue Tribunal Act, 1939, (Bom. XII of 1939) and in supersession of Government Notification in the Revenue Department No. 4877/33(a) dated the 31st July 1939, the Government of Bombay is pleased to direct that with effect from 1st August 1941, The Bombay Revenue Tribunal shall consist of the following members, namely:-

President.

Sir Govind Madgavkar, I.C.S. (Retired Judge of the High Court of Bombay).

Members.

Diwan Bahadur Padmanabh Bhaskar Shingne, Ll.B

Such Commissioner of a Division in the Province of Bombay, as may be prescribed by rules under the Bombay Revenue Tribunal Act, 1939.

Sir Govind Madgavkar and Diwan Bahadur Padmanabh Bhaskar Shingne shall hold office for a period of 3 years with effect from 1st August 1941.

By order of the Governor of Bombay,

Secretary to Government.

PSM. 21/4.

Office of the R.L.A.

Paragraph 3 of the R.D. office note:- The view taken in this paragraph is not correct. Strictly speaking, the only parties to an appeal or a revision application before the Revenue Tribunal are the appellant or applicant, as the case may be, and the officer against whose decision the appeal or application is made. The mere fact that Government is interested in the result of the appeal or application would not make it a party to the proceedings, within the meaning of section 7(1) (i) of the Revenue Tribunal Act, 1939. There is, however, no legal objection to amending the Regulations made under section 13 of the Act so as to provide that the Tribunal shall ordinarily hear the Government Pleader before deciding any case.

2. Paragraph 4 of R.D. office note:- It is for R.D. to consider what amendments should be made in the rules or regulations. The amendments are to be sent to R.L.A. for scrutiny only after they have been settled from the administrative point of view. Attention of Revenue Department is in this connection invited to rules 62, 63 and 64 of the Secretariat Instructions.

Sd/-
16/7

Remembrancer of Legal Affairs.

U.O. to R.D., No. 6276, dated the 18th July 1941.

PSM. 21/4.